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OFFICE OF PETITIONS

In re Application of :  
Beom-jun Jin : DECISION GRANTING  
Application No. 10/689,981 : PETITION  
Filed: 20 October, 2003 :  
Attorney Dkt No. 5649-1135 :

This is a decision on the petition, filed on 1 October, 2004, which is treated as a petition under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of 20 October, 2003, rather than the presently accorded filing date of 21 October, 2003.

Petitioners allege that the application was deposited in Express Mail service on 20 October, 2003. In support, petitioners have provided a copy of Express Mail Label No. EV318417872US (the same Express Mail number found on the itemized transmittal sheet accompanying the original application papers located in the official file). Although the Express Mail label bears a "date-in" of "10-26-03" the label also contains an Official USPS postmark dated 20 October, 2003.

In view of the above, the correct date of deposit in Express Mail is 20 October, 2003.

In view of the above, the petition is granted. No petition fee has been charged and none is due.

The application is being referred to the Office of Initial Patent Examination for correction of the filing date to **20 October, 2003**.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3231.

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions